

Frederick L. Douglas frederick.douglas@fedex.com
(Admitted Pro Hac Vice)

FEDERAL EXPRESS CORPORATION

3620 Hacks Cross Road

Building B, 3rd Floor

Memphis, Tennessee 38125-8800

Telephone: (901) 434-8519

Facsimile: (901) 434-9271

SEYFARTH SHAW LLP

Gilmore F. Diekmann, Jr. (SBN: 050400) gdiekmann@seyfarth.com

Francis J. Ortman, III (SBN: 213202) fortman@seyfarth.com

560 Mission Street, Suite 3100

San Francisco, California 94105

Telephone: (415) 397-2823

Facsimile: (415) 397-8549

Evelyn L. Becker (SBN: 170903)

O'MELVENY & MYERS LLP

1625 Eye Street, NW

Washington, DC 20006

Telephone: (202) 383-5300

Facsimile: (202) 383-5414

Attorneys for Defendants

FEDEX EXPRESS

UNITED STATES DISTRICT COURT

IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

DERRICK SATCHELL, KALINI BOYKIN,)
VALERIE BROWN, RICK GONZALES,)
CYNTHIA GUERRERO, RACHEL)
HUTCHINS, DANIEL SHERMAN, KELVIN)
SMITH, SR., and KEN STEVENSON, on)
behalf of themselves and all other similarly)
situated,)

Plaintiffs,)

vs.)

FEDEX EXPRESS, a Delaware corporation,)

Defendants.)

Case Nos. C 03-02659 SI; C03-02878 SI

CLASS ACTION

**ORDER DISMISSING CLASS CLAIMS
UNDER THE CALIFORNIA FAIR
EMPLOYMENT AND HOUSING ACT**

1 WHEREAS, on November 14, 2006, this Court granted Plaintiffs' Motion To File A
2 Third Amended Complaint that did not include the class claims under the California Fair
3 Employment and Housing Act ("FEHA") previously certified by the Court;

4 WHEREAS, the Third Amended Complaint filed by plaintiffs deleted the previously
5 certified class claims under the FEHA;

6 WHEREAS, the parties agree that the class claims under the FEHA therefore should be
7 dismissed with prejudice;

8 WHEREAS, the parties agree that judgment on the dismissed class FEHA claims shall be
9 entered at the same time that judgment on the rest of the claims in this case is entered;

10 THEREFORE, the parties hereby stipulate and agree that the class FEHA claims
11 previously certified by the Court shall be dismissed with prejudice, and request that the Court so
12 order.

13 DATED: December 5, 2006.

14
15
16 /s/
Eve H. Cervantez
LIEFF, CABRASER, HEIMANN
17 & BERNSTEIN, LLP
275 Battery Street, 30th Floor
18 San Francisco, CA 94111-3339
Telephone: (415) 956-1000
19 Facsimile: (415) 956-10018
20 *Class Counsel*

/s/
Gilmore F. Diekmann, Jr.
SEYFARTH & SHAW LLP
560 Mission Street, Suite 3100
San Francisco, CA 94105
Telephone: (415) 397-2823
Facsimile: (415) 397-8549
Counsel for the Defendant

21 **ORDER**

22 Based upon the foregoing, and good cause appearing,

23 IT IS ORDERED that the class claims previously certified by the Court under the
24 California Fair Employment and Housing Act are dismissed with prejudice.

25
26 DATED: December ____, 2006.


UNITED STATES DISTRICT COURT JUDGE